

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

<b>IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION</b>	:	<b>Miscellaneous Action No.: 07-MC-00010 (SLR)</b>
	:	
	:	
<b>KAREN MILLER, et al.,</b>	:	<b>04 M.D. 1598 (JSR)</b>
	:	<b>(United States District Court, Southern</b>
<b>Plaintiffs</b>	:	<b>District of New York)</b>
<b>vs.</b>	:	
	:	<b>Hon. Jed S. Rakoff</b>
<b>RS OLDSCO, Inc., f/k/a REXALL SUNDOWN, INC., RL OLDSCO, Inc., f/k/a RICHARDSON LABS, Inc., and RITE AID CORPORATION,</b>	:	
	:	
<b>Defendants.</b>	:	
	:	
<b>PERTAINS TO Miller v. RS Oldco, Inc., et al., 1:05-cv-09064</b>	:	

**STIPULATION REGARDING EXTENSION OF TIME**

Plaintiff and Defendants hereby stipulate and agree that Plaintiff shall have additional time to respond to Defendants' Motion to Compel Production of Documents from Richard Callery, M.D. through and including February 28, 2007. Plaintiff's time to respond previously has expired, but no prior extensions of time have been requested or granted.

[Remainder of page left blank]

Stipulated and agreed to:

/s/ Scott D. Levensten  
*Signed with express permission*  
Scott D. Levensten, Esq.  
The Levensten Law Firm  
1325 Spruce Street  
Philadelphia, PA 19107  
Tel: 215-545-5600  
Fax: 215-545-5156  
**Counsel for Plaintiff**

/s/ Andrew S. Dupre  
Andrew S. Dupre, Esq. (DE Bar ID 4621)  
McCarter & English, LLP  
919 N. Market Street  
18<sup>th</sup> Floor  
Wilmington, DE 19801  
Tel: 302-984-6328  
Fax: 302-984-0311

Of Counsel:  
Michael J. Suffern  
Jennifer Hageman  
Jennifer Snyder Heis  
ULMER & BERNE LLP  
600 Vine St., Suite 2800  
Cincinnati, OH 45202  
Tel: 513-698-5000  
Fax: 513-698-5001  
**Counsel for Defendants**

It appearing to the Court that the parties are in agreement, it is,

SO ORDERED.

---

J. Robinson

**CERTIFICATE OF SERVICE**

I, Andrew S. Dupre, hereby certify that on February 12, 2007, I caused a copy of the foregoing Stipulation Regarding Extension of Time to be served via electronic mail and/or U.S. mail upon the following:

**Plaintiffs' Counsel**

Scott D. Levensten, Esquire  
The Levensten Law Firm  
1325 Spruce Street  
Philadelphia, PA 19107  
E-mail: sdl@levenstenlawfirm.com  
Tel: 215-545-5600  
Fax: 215-545-5156 FAX

/s/ Andrew S. Dupre  
Andrew S. Dupre (DE Bar Id. No. 4621)